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PATENT  
Attorney Docket 67058

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Hyde  
Appln No.: 09/737,096  
Filed: December 12, 2000  
For: Method for Preparing Cheese  
Products and Process Cheese Bases  
Group Art  
Unit: 1761  
Examiner: Wong, Leslie A.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted  
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04/25/03  
Date

Richard A Kaba  
Registration No. 30,562  
Attorney for Applicants

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APR 25 2003

**PETITIONS OFFICE**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, Applicants bring the following information with respect to the above-identified application to the attention of the Examiner.

<b>U.S. Patent Documents</b>		
Patent Number	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
5,904,944 <sup>1</sup>	05/18/1999	Batterman et al.

<b>Foreign Patent Documents</b>		
Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
EP 0 765 608 A2	09/20/1996	Batterman et al.
BE 529 883 A <sup>2</sup>	12/24/1954	Roberts
EP 0 997 073 A2	05/03/2000	Moran
WO 99/07232	02/18/1999	Miller et al.
EP 0 340 857	11/08/1989	Bos
GB 2 002 217 A	02/21/1979	Moore et al.

<sup>1</sup>U.S. Patent No. 5,904,944 is the U.S. equivalent to EP 0 765 608 which is cited above.

<sup>2</sup>An English translation of BE 529 883 is currently being obtained and will be submitted under separate cover.

Attorney Docket No. 67058

## Other Prior Art - Non Patent Literature Documents

Seas et al., "Development of Cheese-Flavored Dairy Spreads with Controlled Fat Content",  
*Magazines for Industry, New York*, Vol. 9, No. 9, November 1, 1975, pages 68, 70, 74

The above documents are listed on Form PTO/SB/08A which accompanies this Information Disclosure Statement, and a copy of each document listed is enclosed herewith.

Pursuant to 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

We are also enclosing a copy of the *European Search Report* issued in the European application and received on April 7, 2003.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By \_\_\_\_\_

  
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<b>PTO/SB/08A</b> Substitute for Form PTO-1449				<b>Application Number</b> <b>09/737,096</b> <b>Filing Date</b> <b>December 12, 2000</b> <b>First Named Inventor</b> <b>Hyd</b> <b>Art Unit</b> <b>1761</b> <b>Examiner Name</b> <b>Wong, Leslie A.</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				
She t	1	of	1	<b>Attorney Docket</b> <b>67058</b>

## **U.S. PATENT DOCUMENTS**

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup>			
		5,904,944	05/18/1999	Batterman et al.	

## FOREIGN PATENT DOCUMENTS

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>			
		EP 0 765 608 A2	09/20/1996	Batterman et al.	
		BE 529 883 A	12/24/1954	Roberts	
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		EP 0 340 857	11/08/1989	Bos	
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**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
		Seas et al., "Development of Cheese-Flavored Dairy Spreads with Controlled Fat Content", <i>Magazines for Industry, New York</i> , Vol. 9, No. 9, November 1, 1975, pages 68, 70, 74

Examiner Signature		Date Considered
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

and not considered. Include copy of this form with next communication to the USPTO.  
1 Applicant's unique citation designation number (optional).<sup>2</sup> See *Kind Codes of USPTO Patent Documents* at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.